

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA**

Dale Kills Enemy At Night,  <div style="text-align: right;">Plaintiff,</div>  vs.  Wal-Mart Stores, Inc.,  <div style="text-align: right;">Defendant.</div>	<b>CASE NO. 4:08CV3232</b>  <b>ORDER OF DISMISSAL</b>
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This matter comes before the Court on the Stipulation for Dismissal with Prejudice. The Court, being fully advised in the premises, finds and orders as follows:

**IT IS HEREBY ORDERED** that the lawsuit filed herein is dismissed with prejudice.

**IT IS HEREBY FURTHER ORDERED** that the parties shall each bear its own costs and attorneys' fees.

Dated this 30<sup>th</sup> day of December, 2009.

BY THE COURT:

**s/ Joseph F. Bataillon**  
United States District Court Judge

Prepared and submitted by:

WAL-MART STORES, INC., Defendant,

By: s/Quinn H. Vandenberg

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